



Coalition for the International Criminal Court

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**ASP REACHES CONTROVERSIAL COMPROMISE ON ICC BUDGET**

*States Parties Adopt International Criminal Court Budget for 2012; Coalition Says Budget Deal Could Have Damaging Consequences For Court*

Today, states parties to the International Criminal Court (ICC) meeting at the 10th annual session of the Assembly of States Parties (ASP) in New York adopted the Court's budget for 2012. The compromise reached by states could have damaging consequences for the Court, the Coalition said. The ICC is the world's first permanent international court to prosecute war crimes, crimes against humanity, and genocide.

"States parties have had such high expectations of the International Criminal Court, yet a few major contributors are not willing to fully fund it," stated Jonathan O'Donohue, Legal Adviser for Amnesty International's International Justice Project and leader of the Coalition's Team of NGOs on Budget and Finance. "Today's budget decision could have damaging consequences in the Court's work to deliver justice for victims of grave crimes," he said.

While the Court had requested a budget of approximately €117 million for 2012, the Assembly today approved a budget of €108 million for the ICC, with possible access to a contingency fund of up to €7 million. The budget was adopted by consensus after long negotiations involving the majority of States Parties present in sessions closed to civil society, but which saw a significant number reject arbitrary cuts to the budget.

"According to all informal reports a minority of the States Parties present were opposing accepting the CBF's recommendations and seeking further and significant arbitrary cuts, but among these are some of the largest assessed contributors," said William R. Pace, Convenor of the Coalition for the International Criminal Court. "The Coalition commends those governments that defended the principle of providing necessary funding for the International Criminal Court and avoided harmful 'zero nominal growth' in the Court's

budget,” he stated. “Unfortunately, the very negative budget quarrels are undermining many aspects of the ICC and its Assembly,” Pace added.

Not only are today’s reductions below those proposed by the ICC, it also falls below the amount recommended by the Committee on Budget and Finance (CBF) – the Assembly of States Parties’ expert body – of approximately €112 million which had analyzed the Court’s budget proposal in August 2011. Last year, the Assembly had already gone against CBF recommendations and cut the Court’s budget request.

The Court’s workload is growing steadily, with two new investigations in Libya and Côte d’Ivoire, the anticipated conclusion of its first trial, the first Darfur trial on the horizon, as well as two new possible trials in Kenya. In this context, the compromise reached today threatens to undermine the Court’s ability to deliver justice in a robust fashion in existing situations under investigation, and limit the court’s ability to respond to new situations as they arise.

“The Coalition is looking forward to joining the Court and Governments in 2012 in discussions to seek all improvements and efficiencies in the ICC budgeting process while protecting both fair trials and independence,” Pace concluded.

**Background:** From 12-21 December 2011, representatives from ICC States Parties gathered to address numerous issues central to the Court’s operations, including the adoption of the ICC budget for 2012.

The Assembly also elected Fatou Bensouda to be the next ICC prosecutor, Ambassador Tiina Intelmann as new ASP President, two new ASP Vice-Presidents, six new judges, as well as members of the ASP Bureau and the CBF, resulting in the most significant changes in leadership of the ICC and the treaty body since its establishment.

In addition, the Assembly adopted a number of resolutions on issues central to the court’s operations, such as cooperation, complementarity, universality, oversight mechanisms, governance, communications and outreach, gender, victims, ICC premises, amongst others.

*The ICC is the world’s first permanent international court to prosecute war crimes, crimes against humanity, and genocide. 120 states have joined the Rome Statute, the Court’s founding treaty. Central to the Court’s mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity, and war crimes. There are currently seven active investigations before the Court: the Central African Republic; the Democratic Republic of the Congo; Côte d’Ivoire; Darfur, the Sudan; Uganda, Kenya and Libya. The ICC has publicly issued 19 arrest warrants and nine summonses to appear. Three trials are ongoing. The ICC prosecutor has also made public that it is examining eight situations on four continents: Afghanistan, Colombia, Georgia, Guinea, Honduras, Republic of Korea, Nigeria and Palestine.*

*The Coalition for the International Criminal Court is a global network of civil society organizations in 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide. For more information, visit: [www.coalitionfortheicc.org](http://www.coalitionfortheicc.org)*

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